



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-2764

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**IN RE AN EMERGENCY COMPLAINT)
AGAINST NORTHERN INDIANA PUBLIC)
SERVICE COMPANY ("NIPSCO") BY)
THE COUNTY OF LAPORTE INDIANA)
AND THE CITY OF MICHIGAN CITY)
INDIANA RELATING TO THE PRACTICES)
AND ACTS AFFECTING OR RELATING)
TO THE SERVICE OF NIPSCO AS BEING)
UNSAFE, UNREASONABLE AND)
INSUFFICIENT PURSUANT TO IC 8-1-2-54,)
AND REQUEST FOR COMMISSION)
INVESTIGATION PURSUANT TO IC 8-1-2-58)
AND REQUEST FOR AN INTERIM STATUS)
QUO ORDER)**

FILED

APR 11 2003

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42194

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") made the following entry in this Cause:

On April 8, 2003, Northern Indiana Public Service Company ("NIPSCO") filed a *Motion to Exclude Certain Oral Testimony* ("Motion"). In its Motion, NIPSCO indicates that, "[t]he purpose of any field hearing is to present the opportunity for interested members of the public (i.e. nonparties) to present their views on matters pending before the Commission." Motion at 2. NIPSCO goes on to request that the Commission preclude any attempt to introduce oral testimony at the April 16, 2003, Field Hearing by elected or appointed officials of the LaPorte County Commissioners, Michigan City, the Lake County Commissioners, the Lake County Council, and the Hammond Council. NIPSCO also requests that members of Local 12775 and 13796 of the United Steelworkers should not be allowed to present oral testimony at the Field Hearing.

In considering NIPSCO's Motion, the Presiding Officers hereby advise the parties of the Commission's general expectations regarding the conduct of the upcoming Field Hearing. The Field Hearing is intended to provide an opportunity for the general public to present testimony to the Commission on the issues presented in this case. While the Commission attempts to conduct Field Hearings in a relaxed setting, in order to encourage participation by the public, Field Hearings are formal legal "courtroom" proceedings and are conducted on the record by the Commission. As this is a formal courtroom proceeding, outbursts, in the form of clapping and cheering, are not permitted.

Testimony presented at the Field Hearing, either orally or in writing, will become part of the record of this proceeding. Testimony presented at the Field Hearing is intended to *supplement*, not duplicate or replace, testimony that will be provided by witnesses at the upcoming Evidentiary Hearing in this Cause. In order for all members of the general public to have an opportunity to present their views on the issues presented in this matter, oral testimony that is presented should only address the specific issues raised in this proceeding. Presentation of oral testimony, limited to the issues presented in this matter, will allow the Field Hearing to progress in an efficient manner that should allow all participants an opportunity to testify before the Commission.

Individual members of the general public, including individual members of organizations that have intervened in this Cause, may offer testimony at the Field Hearing. However, as the Field Hearing is part of a larger overall legal proceeding that is being conducted in this matter, it should not be necessary for individuals who have prefiled testimony in this Cause to offer anything other than brief comments, of a general nature, at the Field Hearing. Members of the public are encouraged to avoid offering duplicative or lengthy testimony to avoid the necessity for the Presiding Officers to set specific time limits on individual testimony.

Consistent with the foregoing analysis, the Presiding Officers have reviewed NIPSCO's Motion and note that, while NIPSCO is correct that the general purpose of any Field Hearing is to solicit comments from the general public regarding matters pending before the Commission, the Commission has not taken the proscriptive approach suggested by NIPSCO to limit testimony at a Field Hearing, and will not do so in this proceeding. Therefore, the Presiding Officers find that NIPSCO's Motion should be DENIED.

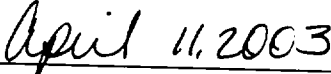
IT IS SO ORDERED.



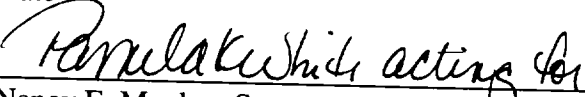
David W. Hadley, Commissioner



Scott R. Storms, Chief Administrative Law Judge



Date



Nancy E. Manley, Secretary to the Commission